

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MONTANA**

In re: BENNER, RYAN DWAYNE  
BENNER, BOBBIE JO

§ Case No. 10-62461

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)**

JOSEPH V. WOMACK, chapter 7 trustee, submits this Final Account,  
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

|   |  |
|---|--|
| Assets Abandoned: <u>\$0.00</u><br>(without deducting any secured claims) | Assets Exempt: <u>\$0.00</u>                             |
| Total Distribution to Claimants: <u>\$3,124.17</u>                        | Claims Discharged<br>Without Payment: <u>\$25,329.86</u> |
| Total Expenses of Administration: <u>\$1,754.73</u>                       |  |

3) Total gross receipts of \$ 4,978.90 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 100.00 (see **Exhibit 2**), yielded net receipts of \$4,878.90 from the liquidation of the property of the estate, which was distributed as follows:

|  | CLAIMS<br>SCHEDULED | CLAIMS<br>ASSERTED | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|--|---------------------|--------------------|-------------------|----------------|
| SECURED CLAIMS<br>(from <b>Exhibit 3</b> )   | \$0.00              | \$0.00             | \$0.00            | \$0.00         |
| PRIORITY CLAIMS:<br>CHAPTER 7 ADMIN. FEES<br>AND CHARGES<br>(from <b>Exhibit 4</b> ) | 0.00                | 1,754.73           | 1,754.73          | 1,754.73       |
| PRIOR CHAPTER<br>ADMIN. FEES AND<br>CHARGES (from <b>Exhibit 5</b> )                 | 0.00                | 0.00               | 0.00              | 0.00           |
| PRIORITY UNSECURED<br>CLAIMS (from <b>Exhibit 6</b> )                                | 0.00                | 0.00               | 0.00              | 0.00           |
| GENERAL UNSECURED<br>CLAIMS (from <b>Exhibit 7</b> )                                 | 27,048.07           | 10,563.85          | 10,563.85         | 3,124.17       |
| <b>TOTAL DISBURSEMENTS</b>   | \$27,048.07         | \$12,318.58        | \$12,318.58       | \$4,878.90     |

4) This case was originally filed under Chapter 7 on October 13, 2010.  
The case was pending for 25 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 10/26/2012 By: /s/JOSEPH V. WOMACK  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 –GROSS RECEIPTS**

| DESCRIPTION                 | UNIFORM<br>TRAN. CODE <sup>1</sup> | \$ AMOUNT<br>RECEIVED |
|-----------------------------|------------------------------------|-----------------------|
| 2010 tax refunds            | 1224-000                           | 4,978.90              |
| <b>TOTAL GROSS RECEIPTS</b> |                                    | <b>\$4,978.90</b>     |

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES**

| PAYEE   | DESCRIPTION | UNIFORM<br>TRAN. CODE | \$ AMOUNT<br>PAID |
|---|-------------|-----------------------|-------------------|
| RYAN & BOBBI JO BENNER                              | OVERPAYMENT | 8100-002              | 100.00            |
| <b>TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES</b> |             |                       | <b>\$100.00</b>   |

**EXHIBIT 3 –SECURED CLAIMS**

| CLAIM NO.                   | CLAIMANT                          | UNIFORM<br>TRAN.<br>CODE | CLAIMS<br>SCHEDULED<br>(from Form<br>6D) | CLAIMS<br>ASSERTED | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|-----------------------------|-----------------------------------|--------------------------|--|--------------------|-------------------|----------------|
| NOTFILED                    | First Interstate Mortgage Service | 4110-000                 | 0.00                                     | N/A                | N/A               | 0.00           |
| NOTFILED                    | High Peaks Federal Credit Union   | 4110-000                 | 0.00                                     | N/A                | N/A               | 0.00           |
| <b>TOTAL SECURED CLAIMS</b> |                                   |                          | <b>\$0.00</b>                            | <b>\$0.00</b>      | <b>\$0.00</b>     | <b>\$0.00</b>  |

**EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

| PAYEE                       | UNIFORM<br>TRAN.<br>CODE | CLAIMS<br>SCHEDULED | CLAIMS<br>ASSERTED | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|-----------------------------|--------------------------|---------------------|--------------------|-------------------|----------------|
| JOSEPH V. WOMACK            | 2100-000                 | N/A                 | 1,219.73           | 1,219.73          | 1,219.73       |
| JOSEPH V. WOMACK            | 2200-000                 | N/A                 | 200.00             | 200.00            | 200.00         |
| US Bankruptcy Court         | 2700-000                 | N/A                 | 260.00             | 260.00            | 260.00         |
| The Bank of New York Mellon | 2600-000                 | N/A                 | 25.00              | 25.00             | 25.00          |

|  |          |     |            |            |            |
|--|----------|-----|------------|------------|------------|
| The Bank of New York Mellon                    | 2600-000 | N/A | 25.00      | 25.00      | 25.00      |
| The Bank of New York Mellon                    | 2600-000 | N/A | 25.00      | 25.00      | 25.00      |
| <b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b> |          | N/A | \$1,754.73 | \$1,754.73 | \$1,754.73 |

**EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

| PAYEE  | UNIFORM<br>TRAN.<br>CODE | CLAIMS<br>SCHEDULED | CLAIMS<br>ASSERTED | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|--|--------------------------|---------------------|--------------------|-------------------|----------------|
| None   |                          |                     |                    |                   |                |
| <b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b> |                          | N/A                 | \$0.00             | \$0.00            | \$0.00         |

**EXHIBIT 6 –PRIORITY UNSECURED CLAIMS**

| CLAIM<br>NO.                           | CLAIMANT | UNIFORM<br>TRAN.<br>CODE | CLAIMS<br>SCHEDULED<br>(from Form<br>6E) | CLAIMS<br>ASSERTED<br>(from Proofs of<br>Claim) | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|--|----------|--------------------------|--|---|-------------------|----------------|
| None                                   |          |                          |  |   |                   |                |
| <b>TOTAL PRIORITY UNSECURED CLAIMS</b> |          |                          | \$0.00                                   | \$0.00  | \$0.00            | \$0.00         |

**EXHIBIT 7 –GENERAL UNSECURED CLAIMS**

| CLAIM<br>NO.                          | CLAIMANT                   | UNIFORM<br>TRAN.<br>CODE | CLAIMS<br>SCHEDULED<br>(from Form<br>6F) | CLAIMS<br>ASSERTED<br>(from Proofs of<br>Claim) | CLAIMS<br>ALLOWED | CLAIMS<br>PAID |
|---------------------------------------|----------------------------|--------------------------|--|---|-------------------|----------------|
| 1                                     | FIRST INTERSTATE BANK      | 7100-000                 | 3,500.00                                 | 3,726.75  | 3,726.75          | 1,102.16       |
| 2                                     | B.H.C., INC.               | 7100-000                 | unknown                                  | 507.02  | 507.02            | 149.95         |
| 3                                     | ROCKY MOUNTAIN SUPPLY INC. | 7100-000                 | 1,700.00                                 | 1,735.74  | 1,735.74          | 513.33         |
| 4                                     | IMOC LUMBER, INC.          | 7100-000                 | 3,657.89                                 | 4,292.34  | 4,292.34          | 1,269.42       |
| 5                                     | BILLINGS CLINIC            | 7100-000                 | 300.00                                   | 302.00  | 302.00            | 89.31          |
| NOTFILED                              | First Interstate Bank      | 7100-000                 | 9,000.00                                 | N/A   | N/A               | 0.00           |
| NOTFILED                              | Wells Fargo Financial      | 7100-000                 | 4,500.00                                 | N/A   | N/A               | 0.00           |
| NOTFILED                              | Montana Energy Alliance    | 7100-000                 | 846.72                                   | N/A   | N/A               | 0.00           |
| NOTFILED                              | Capital One                | 7100-000                 | 1,300.00                                 | N/A   | N/A               | 0.00           |
| NOTFILED                              | Jerry Wessels Tire Center  | 7100-000                 | 743.46                                   | N/A   | N/A               | 0.00           |
| NOTFILED                              | Capital One                | 7100-000                 | 1,500.00                                 | N/A   | N/A               | 0.00           |
| <b>TOTAL GENERAL UNSECURED CLAIMS</b> |                            |                          | \$27,048.07                              | \$10,563.85                                     | \$10,563.85       | \$3,124.17     |

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 10-62461

Trustee: (460040) JOSEPH V. WOMACK

Case Name: BENNER, RYAN DWAYNE  
BENNER, BOBBIE JO

Filed (f) or Converted (c): 10/13/10 (f)

§341(a) Meeting Date: 11/29/10

Period Ending: 10/26/12

Claims Bar Date: 08/10/11

| 1   | 2   | 3   | 4  | 5                                       | 6   |
|---|---|---|--|---|---|
| Asset Description<br>(Scheduled And Unscheduled (u) Property) | Petition/<br>Unscheduled<br>Values                        | Estimated Net Value<br>(Value Determined By Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br><u>Abandoned</u><br>OA=§554(a)<br>DA=§554(c) | Sale/Funds<br>Received by<br>the Estate | Asset Fully<br>Administered (FA)/<br>Gross Value of<br>Remaining Assets |
| Ref. #  |   |   |  |   |   |
| 1   | 2010 tax refunds (u)<br>Federal \$6,255 State - \$0 (78%) | 0.00  | 6,255.00   | 4,978.90                                | FA  |
| 1   | Assets Totals (Excluding unknown values)                  | \$0.00  | \$6,255.00   | \$4,978.90                              | \$0.00  |

## Major Activities Affecting Case Closing:

Initial Projected Date Of Final Report (TFR): December 31, 2011

Current Projected Date Of Final Report (TFR): June 29, 2012 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 10-62461

Case Name: BENNER, RYAN DWAYNE  
BENNER, BOBBIE JO

Taxpayer ID #: \*\*-\*\*\*7836

Period Ending: 10/26/12

Trustee: JOSEPH V. WOMACK (460040)

Bank Name: The Bank of New York Mellon

Account: 9200-\*\*\*\*\*66-65 - Checking Account

Blanket Bond: \$67,349,494.00 (per case limit)

Separate Bond: N/A

| 1<br>Trans.<br>Date | 2<br>{Ref #} /<br>Check # | 3<br>Paid To / Received From        | 4<br>Description of Transaction  | T-Code   | 5<br>Receipts<br>\$ | 6<br>Disbursements<br>\$ | 7<br>Checking<br>Account Balance |
|---------------------|---------------------------|-------------------------------------|--|----------|---------------------|--------------------------|----------------------------------|
| 09/12/11            | {1}                       | Advantage Plus Federal Credit Union | 2010 tax refunds   | 1224-000 | 100.00              |                          | 100.00                           |
| 03/19/12            | {1}                       | Ryan & Bobbie Benner                | 2010 tax refunds   | 1224-000 | 4,878.90            |                          | 4,978.90                         |
| 03/30/12            |                           | The Bank of New York Mellon         | Bank and Technology Services Fee   | 2600-000 |                     | 25.00                    | 4,953.90                         |
| 04/30/12            |                           | The Bank of New York Mellon         | Bank and Technology Services Fee   | 2600-000 |                     | 25.00                    | 4,928.90                         |
| 05/31/12            |                           | The Bank of New York Mellon         | Bank and Technology Services Fee   | 2600-000 |                     | 25.00                    | 4,903.90                         |
| 06/28/12            | 1001                      | RYAN & BOBBI JO BENNER              | OVERPAYMENT  | 8100-002 |                     | 100.00                   | 4,803.90                         |
| 06/29/12            |                           | The Bank of New York Mellon         | Bank and Technology Services Fee   | 2600-000 |                     | 25.00                    | 4,778.90                         |
| 07/02/12            |                           | The Bank of New York Mellon         | Bank and Technology Services Fee Adjustment  | 2600-000 |                     | -25.00                   | 4,803.90                         |
| 09/19/12            | 1002                      | JOSEPH V. WOMACK                    | Dividend paid 100.00% on \$1,219.73, Trustee Compensation; Reference:  | 2100-000 |                     | 1,219.73                 | 3,584.17                         |
| 09/19/12            | 1003                      | JOSEPH V. WOMACK                    | Dividend paid 100.00% on \$200.00, Trustee Expenses; Reference:  | 2200-000 |                     | 200.00                   | 3,384.17                         |
| 09/19/12            | 1004                      | US Bankruptcy Court                 | Dividend paid 100.00% on \$260.00, Clerk of the Court Costs (includes adversary and other filing fees); Reference: | 2700-000 |                     | 260.00                   | 3,124.17                         |
| 09/19/12            | 1005                      | FIRST INTERSTATE BANK               | Dividend paid 29.57% on \$3,726.75; Claim# 1; Filed: \$3,726.75; Reference:  | 7100-000 |                     | 1,102.16                 | 2,022.01                         |
| 09/19/12            | 1006                      | B.H.C., INC.                        | Dividend paid 29.57% on \$507.02; Claim# 2; Filed: \$507.02; Reference:  | 7100-000 |                     | 149.95                   | 1,872.06                         |
| 09/19/12            | 1007                      | ROCKY MOUNTAIN SUPPLY INC.          | Dividend paid 29.57% on \$1,735.74; Claim# 3; Filed: \$1,735.74; Reference:  | 7100-000 |                     | 513.33                   | 1,358.73                         |
| 09/19/12            | 1008                      | IMOC LUMBER, INC.                   | Dividend paid 29.57% on \$4,292.34; Claim# 4; Filed: \$4,292.34; Reference:  | 7100-000 |                     | 1,269.42                 | 89.31                            |
| 09/19/12            | 1009                      | BILLINGS CLINIC                     | Dividend paid 29.57% on \$302.00; Claim# 5; Filed: \$302.00; Reference:  | 7100-000 |                     | 89.31                    | 0.00                             |

|                                     |                   |                   |               |
|-------------------------------------|-------------------|-------------------|---------------|
| <b>ACCOUNT TOTALS</b>               | <b>4,978.90</b>   | <b>4,978.90</b>   | <b>\$0.00</b> |
| Less: Bank Transfers                | 0.00              | 0.00              |               |
| <b>Subtotal</b>                     | <b>4,978.90</b>   | <b>4,978.90</b>   |               |
| Less: Payments to Debtors           |                   | 100.00            |               |
| <b>NET Receipts / Disbursements</b> | <b>\$4,978.90</b> | <b>\$4,878.90</b> |               |

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 10-62461

Case Name: BENNER, RYAN DWAYNE  
BENNER, BOBBIE JO

Taxpayer ID #: \*\*-\*\*\*7836

Period Ending: 10/26/12

Trustee: JOSEPH V. WOMACK (460040)

Bank Name: The Bank of New York Mellon

Account: 9200-\*\*\*\*\*66-65 - Checking Account

Blanket Bond: \$67,349,494.00 (per case limit)

Separate Bond: N/A

| 1              | 2                    | 3                       | 4                          |        | 5              | 6                   | 7                           |
|----------------|----------------------|-------------------------|----------------------------|--------|----------------|---------------------|-----------------------------|
| Trans.<br>Date | {Ref #} /<br>Check # | Paid To / Received From | Description of Transaction | T-Code | Receipts<br>\$ | Disbursements<br>\$ | Checking<br>Account Balance |

| TOTAL - ALL ACCOUNTS       | Net<br>Receipts   | Net<br>Disbursements | Account<br>Balances |
|----------------------------|-------------------|----------------------|---------------------|
| Checking # 9200-*****66-65 | 4,978.90          | 4,878.90             | 0.00                |
|                            | <b>\$4,978.90</b> | <b>\$4,878.90</b>    | <b>\$0.00</b>       |